

JAN 19 1999

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|-----------------|-------------------------------------|--------------------------------|---------------------------------------|---|
| ATTN: SA | APPLICATION NUMBER 15,440 | FILING DATE 12/18/98 | FIRST NAMED APPLICANT LEWIS | ATTORNEY DOCKET NO./TITLE W 17177 |
|-----------------|-------------------------------------|--------------------------------|---------------------------------------|---|

3/13/99 KCS

0212/0113

THE WHITTAKER CORPORATION
4550 NEW LINDEN HILL ROAD SUITE 450
WILMINGTON DE 19808-2952

NOT ASSIGNED

2874

DATE MAILED:

01/13/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 2874

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
 - ☒ insufficient.
- Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.
- \$ _____ for independent claims over 3.
- \$ _____ for dependent claims over 20.
- \$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

MA Batie
Customer Service Center
Patent Examination Division (703) 308-1202

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01 FC:105
130.00 CH
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In the Matter of the Application of:

Warren Hale Lewis et al.

Serial No.: 09/215,440

Filed: December 18, 1998

For: An NxM Optical Switch Having A Simplified Alignment Means

Examiner: Unknown Group Art Unit: 2874

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Assistant Commissioner for Patents

Washington, DC 20231

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on March 10, 1999.


Samantha Fowle

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

In response to the Notice to File Missing Parts, enclosed are:

1. A copy of the Notice.
2. Two signed Declaration and Power of Attorney.

Charge Deposit Account No. 23-1950 for the surcharge of \$130 for filing the missing parts. Charge any balance of fee due to deposit account 23-1950.

Respectfully submitted,

Warren Hale Lewis et al.
Applicant(s)


Anton P. Ness

Registration No. 28453
Attorney for Applicant(s)
Phone: (302) 633-2772
Facsimile: (302) 633-2776

APN/sf